

House Engrossed Senate Bill

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
Senate
Forty-sixth Legislature
Second Regular Session
2004

CHAPTER 105

SENATE BILL 1334

AN ACT

AMENDING TITLE 25, CHAPTER 5, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 25-527; RELATING TO FAMILY SUPPORT DUTIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 25, chapter 5, article 1, Arizona Revised Statutes,
3 is amended by adding section 25-527, to read:

4 25-527. Child support; overpayment; reimbursement

5 A. AN OBLIGOR WHOSE OBLIGATION TO PAY SUPPORT HAS TERMINATED MAY FILE
6 A REQUEST FOR REIMBURSEMENT AGAINST THE OBLIGEE FOR SUPPORT PAYMENTS MADE IN
7 EXCESS OF THE AMOUNT ORDERED. THE OBLIGOR MUST FILE THE REQUEST WITH THE
8 CLERK OF THE SUPERIOR COURT WITHIN TWENTY-FOUR MONTHS AFTER THE TERMINATION
9 OF THE OBLIGATION.

10 B. THE COURT MAY ENTER A JUDGMENT FOR REIMBURSEMENT AGAINST THE
11 OBLIGEE IF THE COURT FINDS THAT THE OBLIGOR'S OBLIGATION TO PAY SUPPORT HAS
12 TERMINATED AND THAT ALL ARREARAGES AND INTEREST ON ARREARAGES HAVE BEEN
13 SATISFIED. THE COURT SHALL SEND A COPY OF THE JUDGMENT TO THE DEPARTMENT OR
14 ITS AGENT FOR TITLE IV-D CASES.

15 C. THE OBLIGEE MUST PAY THE JUDGMENT DIRECTLY TO THE OBLIGOR AND NOT
16 THROUGH THE CLERK OF THE SUPERIOR COURT OR THE SUPPORT PAYMENT CLEARINGHOUSE.

17 D. A JUDGMENT ENTERED PURSUANT TO THIS SECTION DOES NOT CONSTITUTE A
18 SUPPORT JUDGMENT AND IS ENFORCEABLE ONLY IN THE SAME MANNER AS A CIVIL
19 JUDGMENT.

APPROVED BY THE GOVERNOR APRIL 16, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 16, 2004.